

MINUTES OF MEETING
AVON CIVIL SERVICE COMMISSION
Held Monday, August 8, 2022

AVON CITY HALL

CALL TO ORDER

The meeting was called to order at 10:00 A.M. by Peter Kratt, Chairman of the Civil Service Commission.

ROLL CALL

Present: Chairman Peter Kratt, Commissioner William Greaney and Commissioner Alan Wojciechowski

In attendance: Police Chief Fischbach, Fire Chief Swope, Safety Director Streator and Recording Secretary, Rose Seighman

ADDITIONS/DELETIONS TO AGENDA:

Mr. Wojciechowski made a motion to accept the agenda as published. Mr. Greaney seconded and the motion passed 3-0.

APPROVE MINUTES OF MEETING OF 7/18/2022:

Mr. Greaney made a motion to accept the minutes from the meeting of 7/18/2022. Mr. Wojciechowski seconded and the motion passed 3-0.

OLD BUSINESS:

ACTION ITEMS:

Approve updated Clerical & Labor Eligibility Lists

Rose reported that on the Labor Eligibility List, zero names were removed and four names were added. On the Clerical Eligibility List, one name was removed and zero names were added. These are the most recent, up to date lists for this quarter.

Mr. Greaney made a motion to certify the Clerical & Labor Eligibility Lists. Mr. Greaney seconded and the motion passed 3-0.

Abolish Police Entrance & Lateral Eligibility Lists from 10/14/2020

Mr. Streater explained that this list is coming up on two years old and since we have certified the new lists from our most recent exam, we can now abolish the old lists. Mr. Streater said we have exhausted the names on the previous lists. We just hired the last candidate off the old lists about a week ago, Alexis Dixon, so we can abolish the old lists at this time.

Mr. Greaney made a motion to abolish Police Entrance & Lateral Eligibility Lists from 10/14/2020. Mr. Wojciechowski seconded and the motion passed 3-0.

Approve Police Sergeant Promotional Exam Notice

Mr. Kratt asked if all Commissioners had time to review the notice, which they did. Mr. Greaney asked if the names that are listed on the exam notice are the candidates that are eligible to sit for this exam. Chief Fischbach answered that is correct. Mr. Greaney asked if the date was taken into consideration, as far as who might be eligible or not, if anyone fell in between the timing of when the Commission is approving the exam and when the exam is. Chief Fischbach answered that there are no candidates that would just miss it or just make it. The date was selected after talking with Rose and National Testing Network. We will be having an opening for Sergeant and when that happens, our current Sergeant's list will already be expired, so he wanted to get a new exam ready so we have a list that is certified when the opening occurs. Otherwise, we will go without a supervisor for a while and that is not ideal. The timing should work out perfectly and no candidate will miss out because of the date.

Mr. Wojciechowski made motion to approve Police Sergeant Promotional Exam Notice. Mr. Greaney seconded and the motion passed 3-0.

Remove names from Fire Eligibility List

Chief Swope explained that all five (5) candidates listed have requested to be removed from our list. Mr. Kratt said that there are six (6) names on the list. Chief Swope explained that Mr. Unger initially asked to be removed from our list but has since contacted Asst. Chief Bruehler to ask to be placed back on the list. Chief proceeded to list the five (5) names on the list to confirm which candidates wish to be removed from our list. He added that most, if not all of those candidates found employment at other departments. Chief Swope explained that Mr. Unger did find employment at another department as well, but wishes to remain active on our list. Mr. Kratt asked for a motion to remove those names from our current list, after Mr. Unger is taken off. Mr. Greaney asked how the names are removed – does the candidate simply tell them to remove them or is it in writing? Chief Swope explained that we used to require it in writing when they wanted to be removed, but with electronic communications right now, we accept emails or voicemails. Rose explained that when there is a voicemail, both departments typically send her an email that might say “Nathan Nocella left a voice message on “this date” indicating he would like to be removed” and she prints that email and files it. Mr. Kratt asked - do we have documentation, no matter how they ask to be removed? Rose answered that he is correct. Mr. Greaney asked if this is because they cannot be on two lists at once, so they ask to be removed. Chief Swope answered that normally, people are just looking for that first opportunity for a position in a department, whether that is with us or someone else. Typically, once someone takes a position with a department, they are no longer looking, so they asked to be removed from the other lists. Sometimes this process can take years, so once a candidate gets a position, they stop looking.

Mr. Greaney made a motion to remove names from Fire Eligibility List with the one correction that Mr. Unger will remain on the list. Mr. Wojciechowski seconded and the motion passed 3-0.

DISCUSSION ITEMS:

Discuss Rule IV Section B

Mr. Kratt asked if the discussion regarding Rule IV Section B is a first reading. Rose explained that Mr. Gasior thought we should have a discussion about this rule. The rule reads: *Employees intending to take such examination are required to communicate such fact, in writing, to the Commission no later than thirty (30) days prior to the examination.*

Mr. Gasior wanted to narrow down that “writing” could mean an electronic email. It does not necessarily mean they have to write and sign a letter. In this day and age, electronic email is almost a better way to indicate they want to sit for an exam, since it is date and time stamped. Rose is not sure if Mr. Gasior wanted to change the rule in any way, or if he simply wanted to discuss the fact that “writing” actually encompasses email. Rose said since we would not be voting on any change today anyway, should we just move this to next month’s agenda? Mr. Kratt said that we should do that, move it to next month. Chief Fischbach asked Rose that since the Notice of Exam for the upcoming Sergeants Test said we are accepting emails, will that be a problem? Rose answered that Mr. Gasior indicated that we can change the Notice of Exam to include email, so I believe we will be OK.

Mr. Kratt asked if there is anything in Avon’s ordinances or anywhere that it’s clear that writing includes email? Rose said it is interesting because in discussions it was brought up that people put electronic signatures on many official documents, including mortgages. Those types of documents seem much more important than signing up to take an exam. So, the thought was, where we say “in writing”, does that encompass an electronic email? Mr. Kratt said this seems like a much broader question than just this Civil Service issue. Mr. Kratt suggested to table this for next month when Mr. Gasior will be present. Mr. Greaney suggested we can change the wording to “communicate” or “correspond”. Mr. Kratt added that it should not include someone just calling, unless it is recorded. There should be some documentation. Mr. Kratt asked if there has been a problem with this. Rose answered that she has not had any issue with this. She only had one instance on a promotional exam. The notice of exam said they had to notify Rose in writing by the deadline of 4:00pm on a particular day. She had a candidate call her at about 4:04pm and he said he completely forgot to drop off his letter. Since it was after the 4:00pm deadline, she couldn’t accept anything. But even if he called at a few minutes before 4:00pm, since it was a phone call, she couldn’t accept it. Chief Swope added that as far as an email goes, you are “writing” an email. Rose said that was the point Mr. Gasior was making when they were discussing it. You are writing an email.

CHAIRMAN’S COMMENTS:

GENERAL COMMENTS:

NEXT MEETING DATE:

Since the first Monday of September is Labor Day, it was decided to meet the next day.

Next meeting is Tuesday, September 6, 2022 at 10:00 A.M.

ADJOURN:

Following a unanimous vote, today's meeting was adjourned at 10:15 A.M.

PASSED: _____ **SIGNED BY:** _____

Peter Kratt, Chairman

ATTEST: _____

Rose Seighman, Recording Secretary

C: John Gasior
Safety Director Duane Streator
Chief Fischbach
Chief Swope
Rose Seighman